

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re* Flint Water Cases.

Judith E. Levy  
United States District Judge

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This Document Relates To:

*Bellwether III Cases*  
Case No. 17-10164

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**JOINT STIPULATION REGARDING SCHEDULING ORDER FOR  
BELLWETHER III TRIAL**

Bellwether III Plaintiffs and Defendants Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC (the “VNA Defendants”), Leo A. Daly Company, Lockwood Andrews & Newnam, P.C., and Lockwood Andrews & Newnam, Inc. (the “LAN Defendants”), hereby stipulate and agree to extend certain pre-trial deadlines in the Scheduling Order for the Bellwether III Trial as follows. The parties have agreed to these modest extensions since the Court indicated that it would continue the Bellwether III Trial date to a date that is to be determined. The parties may seek further modifications related to the Bellwether III schedule once the Court sets a new Bellwether III Trial date.

<u>Event</u>	<u>Current Deadline/Date Range proposed in ECF</u> <u>No. [2426] (filed April 27, 2023)</u>	<u>New Deadline/Date Range</u>
Dr. Specht MATLAB code delivered	n/a	June 1, 2023
Dr. Specht Deposition		June 12, 2023 through June 16, 2023
Defendants' Expert Reports and Disclosures (for experts not responsive to Bithoney ("Group A Defense Experts")) <sup>1</sup>	May 26, 2023	June 26, 2023
Plaintiffs' Reply Expert Reports (for those who are responsive to Group A Defense Experts) + Due Date for Bithoney Replacement Expert Report and Complete Disclosure	June 16, 2023	July 17, 2023
Depositions of Plaintiffs' Experts (Dr. Bithoney and Replacement of Dr. Bithoney) + Defendants' IMEs of Plaintiffs (if	June 19, 2023 to July 7, 2023	July 19, 2023 to August 7, 2023

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<sup>1</sup> Having now set the date range for Dr. Specht's deposition, this disclosure deadline includes Defendants' experts responsive to Dr. Aaron Specht.

needed)		
Defendants' Reply Expert Reports (for Group A Defense Experts)	June 30, 2023	July 31, 2023
Defendants' Expert Depositions (of Group A Defense Experts) (shall be limited only to those experts for whom the parties submit new or additional reports)	July 3, 2023 to July 21, 2023	August 2, 2023 to August 21, 2023
Defendants' Expert Reports and Disclosures (for experts responsive to Bithoney or Bithoney replacement ("Group B Defense Experts"))	July 21, 2023	August 21, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group A Defense Experts)	July 24, 2023 to July 28, 2023	August 23, 2023 to August 28, 2023
Plaintiff Reply Expert Reports (for those who are responsive to Group B Defense Experts)	August 7, 2023	September 6, 2023
Defendants' Reply Expert Reports (for	August 18, 2023	September 18, 2023

Group B Defense Experts)		
Defendants' Expert Depositions (of Group B Expert Reports) (shall be limited only to those experts for whom the parties submit new or additional reports)	August 21, 2023 to September 11, 2023	September 20, 2023 to October 11, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group B Defense Experts)	September 12, 2023 to September 19, 2023	October 12, 2023 to October 19, 2023
Daubert and Summary Judgment Motions—Opening Briefs	September 27, 2023	October 27, 2023
Daubert and Summary Judgment Response Briefs	October 25, 2023	November 27, 2023
Daubert and Summary Judgment Reply Briefs	November 8, 2023	December 8, 2023
Motions in Limine—Opening Briefs	December 4, 2023	January 3, 2023
Deadline for parties to submit joint proposed jury questionnaire to the Court	TBD	TBD
Deadline for Parties to	TBD	TBD

send 250 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan		
Plaintiffs to Submit to Defendants Draft Joint Pretrial Order (includes witness list and exhibit list)	December 8, 2023	January 8, 2024
Jurors Summoned in Court to Answer Questionnaires	TBD	TBD
Hearing Regarding Excusals Based on Jury Questionnaire Responses	TBD	TBD
Motions in Limine Response Briefs	December 18, 2023	January 17, 2024
Defendants to Submit to Plaintiffs Draft Joint Pretrial Order (includes witness list and exhibit list) and engage in meet and confer	December 22, 2023	January 22, 2024
Motions in Limine Reply Briefs	December 27, 2023	January 26, 2024
Oral Argument on Daubert Motions	TBD	TBD
Oral Argument on Summary Judgement motions	TBD	TBD

Deposition Designations (due for exchange between parties)	TBD	TBD
Parties to submit Voir Dire Questions, Proposed Preliminary Jury Instructions	January 1, 2024	January 31, 2024
Parties to submit Joint Final Pretrial Order	January 5, 2024	February 5, 2024
Objections to Deposition Designations and Counter Designations (due for exchange between parties)	TBD	TBD
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court	TBD	TBD
Deadline for Court to Inform Jury Department of Excusals Based on Questionnaires	TBD	TBD
Final Pretrial Conference, hearing on motions in limine	January 15, 2024 10:30am	TBD
Hearing Regarding	February 6, 2024	TBD

Misc. Pretrial Matters (if needed)	10:30am	
First Day of Trial/Voir Dire	February 7, 2024 8:30am	TBD

Dated: May 25, 2023

Respectfully submitted,

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